

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
NORTHERN DIVISION**

**MARY CAGE TARVER STEVENSON, also
known as Mary K. Stevenson, as Trustee of
the James E. Stevenson Family Trust;
JAMES E. STEVENSON III;
and SHARYN STEVENSON**

PLAINTIFFS

v. No. 3:19-cv-208-DPM

**RONALD CAPPS JR.;
and all persons claiming an interest in real
property described herein, located in the
Chickasawba District of Mississippi
County, Arkansas**

DEFENDANTS

ORDER

1. The Stevensons' renewed motion for partial summary judgment, *Doc. 43*, is denied without prejudice. FED. R. CIV. P. 56; *Smith-Bunge v. Wisconsin Central, Ltd.*, 946 F.3d 420, 424 (8th Cir. 2019). This record presents genuine disputes of material fact: Are the slivers in Arkansas or Tennessee? Are they part of Musgrave Bar? Did the parties' oral hunting lease cover the slivers? The parties' thorough and well-supported Local Rule 56.1 statements, *Doc. 36 & 47*, demonstrate why a trial is needed.

2. The Court appreciates the parties' pretrial filings. This case is first out for trial in Jonesboro on 14 September 2020. We'll start at

1:00 p.m. The Court would appreciate the parties' continuing to coordinate and stipulating to a pre-marked set of exhibits before our trial.

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

12 August 2020